IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA

Tamel Davis, #326984,) C/A No.: 1:13-cv-2649 DC
Petitioner,))
VS.)) <u>ORDER</u>
Larry Cartledge, Warden of Perry Correctional Institution,)))
Respondent.) t.)

On September 26, 2014, this court issued an Order adopting the Magistrate Judge's Report and Recommendation and granted respondent's motion for summary judgment and denied petitioner's motion for summary judgment. On September 29, 2014, the Clerk of Court docketed plaintiff's objections, which were received on September 26, 2014. It appears from a review of the file and plaintiff's objections that said objections were timely, as he placed them in the prison's mail on September 23, 2014. Now therefore,

IT IS HEREWITH ORDERED that this court's Order filed on September 26, 2014, granting respondent's motion for summary judgment and denying petitioner's motion for summary judgment is herewith vacated, and this matter is herewith reinstated for consideration of plaintiff's objections.

AND IT IS SO ORDERED.

DAVID C. NORTON United States District Judge

October 7, 2014 Charleston, South Carolina